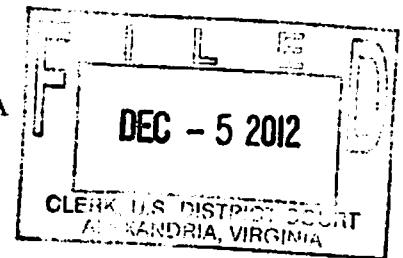


UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



JEROME JULIUS BROWN,

Plaintiff,

v.

CAPITAL ONE RETAIL, *et al.*,

Defendants.

Case No. 1:12-mc-00053 (GBL/IDD)

**REPORT AND RECOMMENDATION**


This matter is before the Court on the conditional filing of Plaintiff's, Jerome Julius Brown's ("Brown's"), Complaint. (Dkt. No. 1.) Brown brings this pro se action as a "Petition under Title 12 USCS 2601, violation real estate, under 18 USCS 1001, false statements inquirer." Brown's Complaint is incoherent. Brown has a long history of litigation in the United States District Court for the Eastern District of Virginia. On July 28, 2010, Judge Robert E. Payne of the Richmond Division issued a Standing Order with respect to Brown in Action No. 3:10mc10. Pursuant to the Standing Order, Brown may have only one case pending at a time in this district unless a *bona fide* emergency exists. Any action that does not comply with the Standing Order is to be dismissed summarily without prejudice.

Although Brown filed a motion to proceed *in forma pauperis* with the Complaint in the instant case, Brown currently has an action pending in the Eastern District before Judge Arenda L. Wright Allen of the Norfolk Division. *See* Action No. 2:12cv283. Moreover, nothing in the Complaint suggests the existence of a *bona fide* emergency. Brown has filed the Complaint in contravention of the Standing Order. Therefore, the undersigned recommends the Complaint be

**DISMISSED** without prejudice to Brown's right to file this action when he has no other actions pending in the United States District Court for the Eastern District of Virginia.

The Clerk is **DIRECTED** to send a copy of this Report and Recommendation and a copy of the July 28, 2010 Standing Order to Brown.

**By mailing copies of this Report and Recommendation, the Plaintiff is notified as follows. Objections to this Report and Recommendation must, pursuant to 28 U.S.C. § 636 and Rule 72(b) of the Federal Rules of Civil Procedure, be filed within fourteen (14) days of service on you of this Report and Recommendation. A failure to file timely objections to this Report and Recommendation waives appellate review of the substance of the Report and Recommendation and waives appellate review of a judgment based on this Report and Recommendation.**

 /s/ \_\_\_\_\_  
Ivan D. Davis  
United States Magistrate Judge

December 5, 2012  
Alexandria, Virginia